



Piñon Communications, Inc.

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October 22, 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

GEN Docket No. 90-314
ET Docket No. 92-100

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MAIL BRANCH

Hon. Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D. C. 20554

Dear Secretary Searcy:

Enclosed is an original and eleven copies of comments
PINON makes in response to the Commission request for
comments in its notice of rule making Adopted July 16,
1992 and released August 14, 1992.

Sincerely,

Dick Funk
Vice President

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FEDERAL COMMUNICATIONS COMMISSION
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MAIL BRANCH

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FCC 92-333
24397

In The Matter of

Amendment of the Commission's
Rules to Establish New Personal
Communications Services

) GEN Docket No. 90-314
) ET Docket No. 92-100
)
) RM-7140, RM-7175, RM-7617,
) RM-7618, RM-7760, RM-7782,
) RM-7860, RM-7977, RM-7978,
) RM-7979, RM-7980
)
) PP-35 through PP-40, PP-79
) through PP-85

COMMENTS
OF
PINON COMMUNICATIONS INC.

Reference III (DISCUSSION), C-Spectrum Allocations, Paragraph 34, (Number of Providers), Page 15.

PINON believes that accommodation should be made for more than three providers. It is important that Spectrum Allocations be available to small providers in the blue collar market. Users such as plumbers, electricians, heating & air conditioning mechanics, need a more sophisticated communications device than maintenance radio, presently available, and less costly than cellular.

Reference III (Discussion), D-Licensing Issues, Paragraph 60, (Basic Trading Areas), page 25.

PINON believes that Option 1 will accommodate the need it foresees in the blue collar market. To do otherwise, would limit access by an industry that could materially improve its productivity by means of PCS communications.

Alternatively, it would be acceptable to grant specific spectrum for the purpose of accommodating the blue collar industry in "Basic Trading Areas" as set out in Option 1 and other larger areas for the market in general.

Reference III (Discussion), D-Licensing Issues, Paragraph 63 & 64 (Incumbent Cellular Licenses), pages 26-27.

PINON believes that cellular incumbents would pose a threat to the development of competitive markets. It would be difficult for an existing cellular provider to justify additional expenditures to compete within itself to develop a separate market which may adversely affect its market already being served by cellular.

Reference III (Discussion), D-Licensing Issues, Paragraph 67 & 68 (Incumbent Cellular Licenses), page 28.

PINON believes that Cellular should be the dominate national - international service designed with the roamer in mind traveling over long distances. It is our view that PCS should accommodate such roamer travel, however, we believe the PCS market to be more local in nature.

Reference III (Discussion), D-Licensing Issues, Paragraph 71 (Local Exchange Carriers), page 30.

PINON believes that if competition in the local exchange network is a priority item, Local Exchange Carriers should not be licensed in the PCS Markets. Such licensing should not preclude Local Exchange Carriers from becoming a supplier of PCS through venture with others though.

Reference III (Discussion), D-Licensing Issues, Paragraph 81 (limits on Holding Multiple Licenses), page 32.

PINON believes that consideration should be given to spectrum licensed by market segment. Therefore, it would be necessary to allocate spectrum on multiple licenses in order to secure the best economics in serving a given market segment.

Reference III (Discussion), D-Licensing Issues, Paragraph 84 & 85 (Lotteries), page 33 & 34.

PINON believes the "postcard lottery" is the preferred method of allocating spectrum in the PCS market. The "postcard lottery" with the requirement to make a non refundable cash deposit of \$10,000.00 within 72 hours of notification of success in the lottery and further, to demonstrate financial, technical and other eligibility requirements within 30 days of notification would limit casual or less then serious potential providers.

Reference III (Discussion), D-Licensing Issues, Paragraph 91 (Competitive Bidding), page 35.

PINON believes that competitive bidding is no panacea for quickly introducing new and innovative technology into a given market place. The fact that legislation would be required signals delay.

Reference III (Discussion), Regulatory Issues, Paragraph 95 (Regulatory Status), page 37.

PINON believes that PCS should be classified as a private land mobile radio service. The rationale for this comment is the fact that most of the use made of the service will be off the public switched telephone network. While PCS may compete with the public switched telephone network in a small way, limited competition is not justification for classification as a common carrier and the regulation attendant to that classification.

Reference III (Discussion), Regulatory Issues, Paragraph 99 & 103 (Interconnection), page 39 & 40.

PINON believes PCS providers should obtain interconnection with the PSTN on the basis of access charges similar to that presently in place for inter exchange carriers of long distance traffic. Rates for such interconnection should be the same for either state or interstate traffic.

Reference IV (Conclusion), paragraph 164, page 64.

PINON agrees with the conclusion presented.

Reference Appendix A: (Proposed Rules), 5., (a), (1), PINON would place a period after the word network in the second sentence thereby eliminating the words "provided these are not intended to be the primary modes of operation". Otherwise, great controversy will arise over the status of each installation.

PINON appreciates the opportunity to make public comment on this important issue and wants to assist the Commission in its effort to develop PCS services.

Respectfully submitted,



Dick Funk
Vice President